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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/565,000

06/09/2006

Xiaorong You

ES-4676-957

6123

97561

7590

05/11/2011

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EXAMINER

REDDICK, MARIE L

ART UNIT

PAPER NUMBER

1762

MAIL DATE

DELIVERY MODE

05/11/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/565,000	<b>Applicant(s)</b> YOU, XIAORONG	
	<b>Examiner</b> MARIE REDDICK	<b>Art Unit</b> 1762	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5, 13-17 and 21-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5, 13-17, 22 and 23 is/are allowed.
- 6) ☒ Claim(s) 21 and 24-26 is/are rejected.
- 7) ☒ Claim(s) 1, 2, 16 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/06/10 has been entered.

### ***Claim Objections***

2. Claims 1, 2, 16 and 26 are objected to because of the following informalities: i) in claims 1, 2 and 16, it is suggested that "a polyalkyleneoxide-modified polydimethylsiloxane and an ethyl acrylate-2-ethylhexyl acrylate copolymer" replace polyalkyleneoxide modified polydimethylsiloxane and ethyl acrylate-2-ethylhexyl acrylate copolymer", ii) in claim 16, line 2, it is suggested that a comma be inserted between "comprising" and "relative"; iii) in claim 26, line 4, it is suggested that "styrene/butadiene styrene block copolymer" be deleted and "styrene/butadiene/styrene block copolymer" inserted in its stead; iv) in claim 26, line 5, it is suggested that "silicon-containing" replace "silicon containing". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 25 and 26 is rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for "derivatives of thioxanethone, anthraquinone, anthracene

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and perylene” and a silicone-containing oligomer, does not reasonably provide enablement for the specific compound derivatives and plurality of silicon-containing oligomers. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention commensurate in scope with these claims.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 21 and 24-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A) The recited “selected from the group consisting bisphenol A diglycidyl ether” per claim 21 engenders language inconsistent with proper Markush terminology, “selected from the group consisting of” is proper and is suggested.

B) The recited components “A” through “N” per claim 24 constitutes indefinite subject matter as per i) it is not clear as to the no. of components definitive of “A” through “N” intended based on the plural form of each component and therefore subsequently indeterminate in scope. More specifically, it is not readily ascertainable as to how said components “A” through “N” further limits the antecedently recited “one or more” and ii) it is not readily ascertainable as to how component “C” differentiates over component “L”.

C) The recited “and derivatives thereof” per claim 25 constitutes indefinite subject matter as per the metes and bounds of compounds indicative of such engender indeterminacy in scope. Furthermore, “derivatrives” is not art-recognized.

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D) The recited "silicon containing oligomers" per claim 26 constitutes indefinite subject matter as per the no. of "oligomers" intended is not readily ascertainable and therefore subsequently indeterminate in scope.

***Response to Arguments***

7. Applicant's arguments, see pages 7-9, filed 10/06/10, with respect to the Claim Objections (25 and 26), the Rejection of Claims 1-5, 13-17 and 21-26 under 35 USC 112, 2<sup>nd</sup> paragraph, the Rejection of Claims 1-5, 13-17 and 21-26 under 35 USC 103 (a) over Lawton et al (US 2002/0106584) and the Rejection of Claims 1-5, 13-17 and 21-26 under 35 USC 103 (a) over Melisaris (US 6,099,787) have been fully considered and are persuasive. These Objections/Rejections have been withdrawn.

***Allowable Subject Matter***

8. Claims 1-5, 13-17, 22 and 23 are deemed allowable over the prior art of record.

9. Claims 21 and 24-26 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter: The instantly claimed invention is deemed allowable over the prior art of record as per said art neither anticipating nor rendering obvious the precisely defined viscosity reducible radiation curable composition comprising a flow aid selected from the group consisting of a polyalkyleneoxide-modified polydimethylsiloxane and an ethyl acrylate-2-ethylhexyl acrylate copolymer (claims 1, 2 and 16). One having ordinary skill in the art would not have been endowed with any motivation to extrapolate from any of the prior art of record, Lawton et al (US 2002/0106584) and Melisaris et al (US 6,099,787), meritorious of the closest prior art, the

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specifically defined flow aid-governed viscosity reducible radiation curable composition, as claimed, with any reasonable expectation of success.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARIE REDDICK whose telephone number is 2-5816. The examiner can normally be reached on Mon. - Fri. from 7:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID WU can be reached on 2-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marie Reddick  
Patent Examiner  
Art Unit 1762

/MR/  
05/09/11

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